

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN JESSE LASLOVICH**, on January 31, 2007  
at 8:00 A.M., in Room 303 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Jesse Laslovich, Chairman (D)  
Sen. Aubyn Curtiss (R)  
Sen. Larry Jent (D)  
Sen. Carol C. Juneau (D)  
Sen. Dan McGee (R)  
Sen. Lynda Moss (D)  
Sen. Jerry O'Neil (R)  
Sen. Gerald Pease (D)  
Sen. Gary L. Perry (R)  
Sen. Jim Shockley (R)

##### **Members Excused:**

Sen. David E. Wanzenried (D)  
Sen. Carol Williams (D)

**Members Absent:** None.

**Staff Present:** Carol Andersen, Committee Secretary  
Valencia Lane, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 342, 1/25/2007; SB 309,  
1/25/2007  
Executive Action: SB 266, SB 263, SB 330

---

**HEARING ON SB 342**

---

**Opening Statement by Sponsor:**

00:01:50 SEN. CAROLYN SQUIRES (D), SD 48, opened the hearing on SB 342, Fingerprint criminal background checks for social workers and counselors.

**EXHIBIT**(jus21a01)

**Proponents:**

00:13:41 Gloria Hermanson, Clinical Mental Health Council

**Opponents:** None.

**Informational Testimony:**

00:14:21 Ali Bovingdon, Department of Justice

00:17:01 Cyndi Breen, Board of Social Examiners

**Questions from Committee Members and Responses:**

00:17:51 Sen. Curtiss to Sen. Squires

00:20:37 Sen. McGee to Ali Bovingdon

00:23:00 Sen. Perry to Ali Bovingdon

00:29:42 Sen. Laslovich to Sen. Squires

00:35:35 Mark Cadwallader, Staff Attorney, Department of Justice

00:38:29 Sen. Laslovich to Mark Cadwallader

**Closing by Sponsor:**

00:39:41 Sen. Squires

---

**EXECUTIVE ACTION ON SB 266**

---

00:42:59 **Motion:** SEN. SHOCKLEY moved that SB 266 DO PASS.

**Discussion:**

00:44:05 Sen. Perry

00:44:50 Sen. Shockley  
00:46:13 Sen. O'Neil to Sen. Shockley  
00:47:07 Sen. Laslovich  
00:48:27 Sen. Jent  
00:50:41 Sen. Shockley  
00:52:43 Sen. McGee  
00:53:39 Sen. Jent  
00:56:17 Sen. McGee  
00:56:32 Sen. Shockley  
00:58:10 Sen. McGee  
00:58:19 Sen. Perry  
01:00:31 **SEN. SHOCKLEY withdrew his motion.**

**HEARING ON SB 309**

**Opening Statement by Sponsor:**

01:01:15 **SEN. JOE BALLYEAT (R), SD 34**, opened the hearing on **SB 309**, Prohibit confiscation of firearms during period of declared emergency.

**[EXHIBIT\(jus21a02\)](#)**

**[EXHIBIT\(jus21a03\)](#)**

**Proponents:**

01:06:32 Gary Marbut, President, Montana Shooting Sports Association (MSSA)  
01:14:08 Garrett Bacon, Prickley Pear Sportsmen's Association  
01:15:21 Wayne Delzer, resident  
01:15:47 Doug Nulle, self

**Opponents:** None.

**Informational Testimony:**

01:18:11 Dan McGowan, Administrator, Emergency and Disaster  
Services Agency

**Questions from Committee Members and Responses:**

01:24:37 Sen. Laslovich to Sen. Balyeat

**EXHIBIT(jus21a04)**

01:27:24 Deferred to Gary Marbut

01:28:06 Sen. Laslovich to Sen. Balyeat

01:30:12 Sen. McGee to Dan McGowan

01:44:34 Sen. Moss to Dan McGowan

01:49:44 Sen. Perry to Gary Marbut

01:51:50 Sen. Perry to Sen. Balyeat

01:55:11 Sen. Laslovich to Dan McGowan

01:56:02 Sen. Laslovich to Jim Smith

01:56:45 Sen. Laslovich to Sen. Balyeat

**Closing by Sponsor:**

02:01:37 Sen. Balyeat

**EXECUTIVE ACTION ON SB 263**

02:08:25 **Motion/Vote:** SEN. MCGEE moved that SB 263 BE TABLED on  
request of sponsor. Motion carried unanimously by voice  
vote. SEN. WILLIAMS and SEN. WANZENRIED voted aye by  
proxy.

**EXECUTIVE ACTION ON SB 330**

02:09:48 **Motion:** SEN. O'NEIL moved that SB 330 DO PASS.

**Discussion:**

02:10:05 Sen. O'Neil

02:10:47 Sen. Perry

02:12:21 Sen. Shockley

02:13:08 **Motion/Vote:** SEN. JUNEAU CALLED THE QUESTION ON SB 330. Motion failed 3-9 by roll call vote with SEN. CURTISS, SEN. MCGEE, and SEN. O'NEIL voting aye.

02:13:26 **Motion/Vote:** SEN. LASLOVICH moved that SB 330 BE TABLED AND THE VOTE REVERSED. Motion carried.

02:13:30 Sen. O'Neil

ADJOURNMENT

Adjournment: 10:15 A.M.

---

SEN. JESSE LASLOVICH, Chairman

---

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

**EXHIBIT** ([jus21aad.pdf](#))